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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,348	03/26/2001	Masaharu Tomiyama	Q63433	6359

7590

03/28/2002

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EXAMINER

LE, DANG D

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 03/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/816,348

Applicant(s)

TOMIYAMA ET AL.

Examiner

Dang D Le

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it contains the word "comprising" in line 1. Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claim 1 is objected to because of the following informalities: claim 1, last line, delete "fixed". Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 6 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There is insufficient antecedent basis for the following limitations in the claims. Claim 6 recites the limitations "the length" in line 2 and "the thickness" in line 4. Claim 7 recites the limitation "the diameter" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Brennan et al.

Regarding claim 1, Brennan et al. show a motor (Figure 2) for driving a blower fan (intended use) comprising:

- A cylindrical case body (23) having a front end opening portion (left) and a rear end opening portion (right);
- A rear end plate (26) fixed on the rear end opening portion of the case body, the rear end plate having a first bearing (31);
- A front end plate (25) fixed on the front end opening portion of the case body, the front end plate having a second bearing (30);
- A rotary drive shaft (21) inserted into the central portion of the case body, the rotary drive shaft whose rear end portion (right) is rotatably supported on the rear end plate through the first bearing and whose forward middle portion (left) is rotatably supported on the front end plate through the second bearing;
- A rotor (33) fixed on the middle portion of the rotary drive shaft;
- A stator (65, 83) fixed on the inner circumferential surface of the case body to face to the outer circumferential surface of the rotor; and
- A reinforcing portion (90) provided in the vicinity of an end portion of the stator fixed.

Regarding claim 2, it is noted that Brennan et al. also show the reinforcing portion (90) being integrally formed with the case body (23).

Regarding claim 3, it is noted that Brennan et al. also show the reinforcing portion reinforcing a portion (left) of the case body (23) fixing the stator not to be deformed.

Regarding claim 4, it is noted that Brennan et al. also show the reinforcing portion being a reinforcing ring (Figures 5 and 6) made of hard material (stainless steel, column 5, line 34), and the reinforcing ring being fixed on a part of the inner circumferential surface of the case body and formed into an annular shape as a whole.

Regarding claim 5, it is noted that Brennan et al. also show the reinforcing ring (90) comprising a ring portion (92) and a cylinder portion (thickness of 90) continuing from the outer peripheral edge of the ring portion.

Regarding claim 6, it is noted that Brennan et al. also show the length (from outer periphery to inner periphery, Figure 5) in the diametrical direction of the ring portion composing the reinforcing ring being set not to be less than the thickness (65 and 83) of the stator fixed on the inner circumferential surface of the case body.

Regarding claim 7, it is noted that Brennan et al. also show that before the reinforcing ring is fixed, the outer circumferential surface of the cylinder portion composing the reinforcing ring has a conic surface (93) inclined in a direction such that the diameter becomes large as a distance from the ring portion is long.

Regarding claim 8, it is noted that Brennan et al. also show the reinforcing ring being fixed by press fitting on a part of the inner circumferential surface of the case body.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7382 for regular communications and (703) 308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

DDL
March 25, 2002


